

CM-110

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):          Douglas N. Silverstein, Esq. (SBN 181957)          Michael G. Jacob, Esq. (SBN 229939)          KESLUK, SILVERSTEIN &amp; JACOB, P.C.          9255 Sunset Boulevard, Suite 411          Los Angeles, CA 90069          TELEPHONE NO.: (310) 273-3180 FAX NO. (Optional): (310) 273-6137          E-MAIL ADDRESS (Optional): mjacob@californialaborlawattorney.com          ATTORNEY FOR (Name): Plaintiff GILBERT GUZMAN</p>	<p>FOR COURT USE ONLY</p> <p><b>FILED</b>          Superior Court of California          County of Los Angeles</p> <p>MAY 20 2015</p> <p>Sherri R. Carter, Executive Officer/Clerk          By <u>Victor Sino-Cruz</u> Deputy</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles          STREET ADDRESS: 111 North Hill Street          MAILING ADDRESS:          CITY AND ZIP CODE: Los Angeles, CA 90012          BRANCH NAME: Stanley Mosk Courthouse</p>	<p>PLAINTIFF/PETITIONER: Gilbert Guzman</p> <p>DEFENDANT/RESPONDENT: Space Exploration Technologies Corp., et al.</p>
<p><b>CASE MANAGEMENT STATEMENT</b></p> <p>(Check one): <input checked="" type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) <input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)</p>	<p>CASE NUMBER: BC 574495</p>
<p>A CASE MANAGEMENT CONFERENCE is scheduled as follows:          Date: June 9, 2015 Time: 8:30 a.m. Dept.: 72 Div.: Room:          Address of court (if different from the address above):</p> <p><input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): Michael G. Jacob, Esq.</p>	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. Party or parties (answer one):
  - a. ☒ This statement is submitted by party (name): Plaintiff Gilbert Guzman
  - b. ☐ This statement is submitted jointly by parties (names):
2. Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)
  - a. The complaint was filed on (date): March 9, 2015
  - b. ☐ The cross-complaint, if any, was filed on (date):
3. Service (to be answered by plaintiffs and cross-complainants only)
  - a. ☒ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
  - b. ☐ The following parties named in the complaint or cross-complaint
    - (1) ☐ have not been served (specify names and explain why not):
    - (2) ☐ have been served but have not appeared and have not been dismissed (specify names):
    - (3) ☐ have had a default entered against them (specify names):
  - c. ☐ The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):
4. Description of case
  - a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action):  
 Disability Discrimination; Failure to Engage In the Interactive Process; Failure to Accommodate Disability;  
 Failure to Take All Reasonable Steps to Prevent Discrimination and Retaliation; Retaliation; Interference With  
 Leave In Violation of CFRA/FMLA; and Wrongful Termination.

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*
- Plaintiff began his employment as a Propulsion Technician with Defendant on or about August 15, 2008. On or about July 7, 2014, Plaintiff informed Defendant that he was experiencing lower back pain. On July 8, 2014, Plaintiff informed Defendants that his doctor recommended him on bed rest for two weeks. Plaintiff's doctor prescribed additional leaves through August 22, 2014. On August 7, 2014 Plaintiff was terminated under the pretext of job abandonment.
- ☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. Jury or nonjury trial

The party or parties request ☒ a jury trial ☐ a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. Trial date

- a. ☐ The trial has been set for *(date)*:
- b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
- c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:  
See Attachment.

7. Estimated length of trial

The party or parties estimate that the trial will take *(check one)*:

- a. ☒ days *(specify number)*: 5-7
- b. ☐ hours *(short causes) (specify)*:

8. Trial representation *(to be answered for each party)*

The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. E-mail address:
- f. Fax number:
- g. Party represented:
- ☐ Additional representation is described in Attachment 8.

9. Preference

☐ This case is entitled to preference *(specify code section)*:

10. Alternative dispute resolution (ADR)

- a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

- (1) For parties represented by counsel: Counsel ☒ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
- (2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.

b. Referral to judicial arbitration or civil action mediation *(if available)*.

- (1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
- (2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- (3) ☒ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*: Amount in controversy exceeds jurisdiction maximum.



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SHORT TITLE: Guzman vs. Space Exploration Technologies Corp., et al.

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ATTACHMENT (Number): 6.c.

(This Attachment may be used with any Judicial Council form.)

Plaintiff's counsel will be engaged in trial on the following dates:

09/08/15-09/18/15  
 09/21/15-10/08/15  
 10/13/15-10/16/15  
 10/26/15-11/09/15  
 11/16/15-12/08/15  
 12/17/15-01/04/16  
 01/19/16-01/27/16  
 02/02/16-02/10/16  
 02/16/16-02/26/16  
 02/26/16-03/09/16  
 03/15/16-03/25/16  
 03/28/16-04/15/16  
 04/26/16-05/04/16  
 07/11/16-07/22/16  
 08/08/16-08/19/16  
 10/03/16-10/10/16

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this  
 Attachment are made under penalty of perjury.)

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(Add pages as required)

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes ( <i>check all that apply</i> ):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes ( <i>attach a copy of the parties' ADR stipulation</i> ):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other ( <i>specify</i> ):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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**11. Insurance**

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

**12. Jurisdiction**

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

**13. Related cases, consolidation, and coordination**

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

**14. Bifurcation**

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

**15. Other motions**

- ☐ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

**16. Discovery**

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):

Party	Description	Date
Plaintiff Gilbert Guzman	written discovery	August 2015
Plaintiff Gilbert Guzman	Deposition(s) of Defendant's Person(s) Most Qualified	October 2015

- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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## 17. Economic litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

## 18. Other issues

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

## 19. Meet and confer

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): 1 (one)

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: May 21, 2015

Michael G. Jacob, Esq.  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF PARTY OR ATTORNEY)

05  
 21  
 2015  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction this service was made. My business address is 9255 Sunset Boulevard, Suite 411, Los Angeles, California 90069.

On May 20, 2015, I served the following documents on all interested parties in this action as follows: **CASE MANAGEMENT STATEMENT**

/ X / (BY MAIL) I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

/ / (BY PERSONAL SERVICE) I caused to be delivered by an authorized courier or driver of EXPRESS NETWORK the documents listed above to be received and delivered on the same date by the person(s) listed below.

/ / (BY FEDERAL EXPRESS) I am readily familiar with the firm's practice for collection and processing correspondence by overnight delivery. Under that practice it would be deposited in a box or other facility regularly maintained by Federal Express for overnight delivery.

/ / (BY ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed below.

/ / (BY FACSIMILE) This document was transmitted by using a facsimile machine that complies with the California Rules of Court rule 2003(3), telephone number (310) 273-6137. The transmission was reported as complete and without error. A copy of the transmission report, properly issued by the transmitting machine, is on file at the firm. The names and facsimile numbers of the person(s) served are as set forth below.

**SEE ATTACHED SERVICE LIST**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct. Executed on May 20, 2015, at Los Angeles, California.



Michael Bew

**GILBERT GUZMAN vs. SPACE EXPLORATION TECHNOLOGIES CORP., et al.,  
CASE NO. BC574495**

**SERVICE LIST**

Alexander Hernaez  
Lee Szor  
FOX ROTHSCHILD LLP  
345 California Street, Suite 2200  
San Francisco, CA 94104  
Telephone: 415-364-5540  
Facsimile: 415-391-4436  
[ahernaez@foxrothschild.com](mailto:ahernaez@foxrothschild.com)  
[lszor@foxrothschild.com](mailto:lszor@foxrothschild.com)  
[Attorneys for Defendant SPACEX]

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